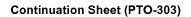
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/532,008	BEMMER ET AL.		
Examiner	Art Unit		

	DAI A. PHUONG	2617		
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress	
THE REPLY FILED <u>20 October 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appetor Continued Examination (RCE) in compliance with 37 C periods:	replies: (1) an amendment, affidavit eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request	
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire to Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f)	dvisory Action, or (2) the date set forth in ter than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE f).	g date of the final rejection FIRST REPLY WAS FII	on. LED WITHIN TWO	
Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount on hortened statutory period for reply origing than three months after the mailing date	of the fee. The appropria nally set in the final Office	ate extension fee e action; or (2) as	
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed wi AMENDMENTS 	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the		
3. The proposed amendment(s) filed after a final rejection, be (a) They raise new issues that would require further core (b) They raise the issue of new matter (see NOTE below (c) They are not deemed to place the application in bett appeal; and/or (d) They present additional claims without canceling a content of the con	nsideration and/or search (see NOTw); ter form for appeal by materially rec	E below); ducing or simplifying the		
NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.12 5. Applicant's reply has overcome the following rejection(s): 6. Newly proposed or amended claim(s) would be all non-allowable claim(s). 7. For purposes of appeal, the proposed amendment(s): a) [how the new or amended claims would be rejected is prov	owable if submitted in a separate, t ☐ will not be entered, or b) ☑ wil	imely filed amendmer	nt canceling the	
The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 21-37. Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but	t hefore or on the date of filing a No	otice of Anneal will not	he entered	
because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).	I sufficient reasons why the affidavi	t or other evidence is	necessary and	
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appea and was not earlier presented. Se	ll and/or appellant fails ee 37 CFR 41.33(d)(1)	s to provide a).	
10.	n of the status of the claims after er	ntry is below or attach	ed.	
 The request for reconsideration has been considered but <u>Please see Attachment.</u> 		condition for allowan	ce because:	
12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). (13. ☐ Other:	PTO/SB/08) Paper No(s)			
/Patrick N. Edouard/ Supervisory Patent Examiner, Art Unit 2617				



Application No.